

**STATE OF NEW MEXICO  
BEFORE THE WATER QUALITY CONTROL COMMISSION**

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**In the Matter of:** )

**PROPOSED AMENDMENT** )  
**TO 20.6.2 NMAC (Dairy Rules)** )

**New Mexico Environment Department,** )  
**Petitioner.** )  
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**No.: WQCC 09-13 (R)**

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**NEW MEXICO ENVIRONMENT DEPARTMENT'S  
NOTICE OF INTENT TO PRESENT TECHNICAL TESTIMONY**

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The New Mexico Environment Department, pursuant to the Scheduling and Procedural Orders issued on January 19, 2010, files this Notice of Intent to Present Technical Testimony at the public hearing scheduled to begin April 13, 2010.

1. Person filing the statement.

New Mexico Environment Department.

2. Witnesses and Qualifications.

William C. Olson B.S. Geology, New Mexico Institute of Mining and Technology, 1983; M.S. Hydrology, New Mexico Institute of Mining and Technology, 1989.

Bill Olson is Bureau Chief of the Ground Water Quality Bureau, a position he has held since October 2004. The Ground Water Quality Bureau includes the Pollution

Prevention Section, Remediation Oversight Section, Mining Environmental Compliance Section, Superfund Oversight Section and Grant and Planning Section. He also serves as the Energy, Minerals and Natural Resources Department designee on the Oil Conservation Commission. Mr. Olson has an extensive knowledge and understanding of the Water Quality Control Commission Regulations, and directs and approves permitting and enforcement of discharge plans under those regulations. He also directs the investigation and abatement of contaminated soil and ground water pursuant to the New Mexico Water Quality Act and New Mexico Water Quality Control Commission regulations. Mr. Olson will be in charge of the Department's implementation of the Dairy Rules. Mr. Olson's resume is attached as NMED NOI Exhibit A

Sarah K. McGrath B.S. Watershed Management, University of Wisconsin-Stevens Point, 1993. Ms. McGrath is a geoscientist with the Ground Water Quality Bureau and is the Ground Water Quality Bureau Agricultural Team Leader. Ms. McGrath's resume is attached as NMED NOI Exhibit B.

Bart Faris B.S. Soil and Water Science, University of Arizona, 1983. Mr. Faris is a hydrogeologist with the Ground Water Quality Bureau, and has more than 20 years experience in water resources, hydrology, environmental resource management and restoration, natural resources and community development. Mr. Faris' resume is attached as NMED NOI Exhibit C.

William W. Pearson B.S. Agronomy and Horticulture, University of Wisconsin-Stevens Point, 1985, M.S. Natural Resources with an emphasis in Soil Science, University of Wisconsin-Stevens Point, 2002. Mr. Pearson is a geoscientist/agronomist

with the Ground Water Quality Bureau. Mr. Pearson's resume is attached as NMED NOI Exhibit D.

George B. Schuman B.S. Geosciences, The Pennsylvania State University, 1988; M.S. Geology, University of South Carolina, 1990.

Mr. Schuman is the Program Manager of the Ground Water Pollution Prevention Section of the Groundwater Quality Bureau, and is responsible for the operation of the ground water discharge permitting program pursuant to the Water Quality Control Commission Regulations. Mr. Schuman's resume is attached as NMED NOI Exhibit E.

Robert George A.A.S. Water Utilities Operation, New Mexico State University, Dona Ana Branch Community College, 1991. Mr. George is a hydrologist with the Ground Water Quality Bureau. Mr. George's resume is attached as NMED NOI Exhibit F.

Charles Thomas, P.E. B.S. Mining Engineering, New Mexico Institute of Mining & Technology, 1990. Mr. Thomas is Bureau Chief of the Mine Reclamation Bureau of Energy, Minerals and Natural Resources Department, and was formerly a senior engineer with the Ground Water Quality Bureau. Mr. Thomas' resume is attached as NMED NOI Exhibit G.

3. Testimony and Exhibits.

The Department's direct testimony and exhibits are attached. Attachments 1-7 are the direct testimony of the Department's witnesses listed above, Attachment 8 is a copy of the Department's proposed rule with the testimony of the Department witnesses explaining and supporting the various provisions, and Attachment 9 is the Department Exhibits. Attachment 10 is an example of the Department's proposal reformatted as a

separate part as required by the New Mexico Commission of Public Records. Consistent with the Procedural Order in this proceeding, each witness may give a brief summary of testimony up to 15 minutes. At the hearing, the Department witnesses will give their oral summaries, and then stand for cross-examination as a panel.

The Department reserves the right to identify additional rebuttal witnesses when it files rebuttal testimony on March 29, 2010. The Department also reserves the right to identify additional surrebuttal witnesses for the hearing after reviewing any rebuttal testimony submitted on March 29, 2010 by other parties.

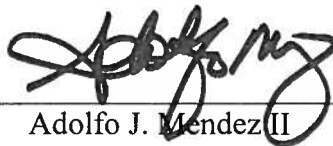
4. Text of Recommended Modifications. The Department has identified modifications and errata from its revised petition filed on January 29, 2010 in its prefiled direct testimony attached to this Notice of Intent.

5. Reservation of Rights.

The Department reserves the right to call any person and offer any exhibit in response to the testimony or exhibit offered by another person in the hearing.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT  
OFFICE OF GENERAL COUNSEL



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## CERTIFICATE OF SERVICE

I hereby certify that a copy of this New Mexico Environment Department's Notice of Intent to File Technical Testimony (except testimony exhibits) was served by e-mail on the following parties on March 8, 2010. Exhibits to testimony are voluminous and are posted on the WQCC website at <http://www.nmenv.state.nm.us/WQCC/> and compact disks with copies of the exhibits were mailed by first class mail to the following parties as of this date.

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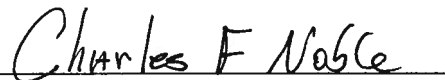
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